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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,827	08/20/2001	Stephen Michael Reeder		4456

7590 11/29/2004  
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EXAMINER

CHAI, LONGBIT

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/913,827

Applicant(s)

REEDER ET AL.

Examiner

Longbit Chai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. The application is filed on 08/20/2001 but claims the benefit of foreign priority has been made and acknowledged.
2. Therefore, the effective filing date for the subject matter defined in the pending claims in this application is 03/19/1999 on the benefit of foreign priority date.

### ***Claim Objections***

3. Claims 15 and 19 are objected to because of the following informalities: "on eof" should be "end of". Appropriate correction is required.
4. Any other claims not addressed (are objected) by virtue of their dependency should also be corrected.
5. Claims 15 and 19 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of the previous claim 12. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The claim limitation "superimposing signaling on a main electrical circuit" does not further constitute the claim limitation over the independent claim 12 where the delivery of release code using "connectionless network messaging technique" is claimed. This is also based upon the disclosure in the specification (Page 3 Line 18 – 24) and thereby Examiner considers claim 15 and 12 are two independent alternatives due to the lack of

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dependency. However, for the purpose of further examination, the superimposing signal on a main electrical circuit is considered as to serve the format of "release code" as claimed in the independent claim 12.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1 – 6, 8 – 12, 14 – 15 and 18 – 19 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Collins (Patent Number: WO 9804967), hereinafter referred to as Collins, evidenced by Goldman (Patent Number: 5684951), hereinafter referred to as Goldman.

As per claim 1, 6 and 12, Collins teaches a security aware apparatus including processor means responsive to connection of electrical power to create a data message which uniquely identifies the apparatus, electronic transfer means for transmitting the data message to a pre determined address and electronic receiver means for receiving a response to the transmitted message, the apparatus further including a data store for storing data including at least one release code, the processor means being arranged to cause temporary inoperability of the apparatus unless a response message characterizing at least in part the respective release code is received within a

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predetermined period (Collins: see for example, Figure 7 and Page 3 Line 6 – Page 6 Line 15).

As per claim 2 and 18, Collins teaches the claimed invention as described above (see claim 1 and 12 respectively). Collins further teaches the electronic transfer means adds a network address to the data message and transmits the message by way of a connectionless network using internet protocol (Collins: see for example, Page 19 Line 10 – Page 20 Line 10: Connectionless network protocol is one of well known internet protocols).

As per claim 3 and 14, Collins teaches the claimed invention as described above (see claim 1 and 12 respectively). Collins further teaches the electronic transfer means creates an electronic mail message which is transmitted to a mailbox associated with an associated remote control centre (Collins: see for example, Page 19 Line 10 – Page 20 Line 10: Email message is one of well known internet protocols – This can be evidenced by Goldman (Goldman: see for example, Column 1 Line 40 – 47 and Column 2 Line 46 – 63)).

As per claim 4, Collins teaches the claimed invention as described above (see claim 1). Collins further teaches the electronic receiver means has an address on a connectionless network to which messages are transmitted by an associated remote control centre (Collins: see for example, Page 19 Line 10 – Page 20 Line 10: Email

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message is one of well known internet protocols – This can be evidenced by Goldman (Goldman: see for example, Column1 Line 40 – 47 and Column 2 Line 46 – 63)).

As per claim 5, Collins teaches the claimed invention as described above (see claim 1). Collins further teaches the apparatus has an associated mailbox address from which electronic mail messages are periodically down loaded (Collins: see for example, Page 19 Line 10 – Page 20 Line 10: Email message is one of well known internet protocols – This can be evidenced by Goldman (Goldman: see for example, Column1 Line 40 – 47 and Column 2 Line 46 – 63)).

As per claim 8 and 10, Collins teaches the claimed invention as described above (see claim 6). Collins further teaches the monitoring means periodically recovering electronic mail messages embodying release code requests from said mailbox (Collins: see for example, Page 19 Line 10 – Page 20 Line 10: Email message is one of well known internet protocols – This can be evidenced by Goldman (Goldman: see for example, Column1 Line 40 – 47 and Column 2 Line 46 – 63: Key request is an equivalent to release code request)).

As per claim 9, Collins teaches the claimed invention as described above (see claim 6). Collins further teaches the electronic transmitting means transmits electronic message data by way of the connectionless network directly to an address of requesting apparatus (Collins: see for example, Page 19 Line 10 – Page 20 Line 10: Email

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message is one of well known internet protocols – This can be evidenced by Goldman (Goldman: see for example, Column1 Line 40 – 47 and Column 2 Line 46 – 63)).

As per claim 11, Collins teaches the claimed invention as described above (see claim 6). Collins further teaches the release codes associated with security aware apparatus are grouped in accordance with associated home control units, the receiving means receiving electronic messages from home control units and the transmitting means returning multiple respective release codes using electronic messaging by way of a connectionless network (Collins: see for example, Figure 5 & 7 Page 19 Line 17 – Page 20 Line 10: Email message is one of well known internet protocols – This can be evidenced by Goldman (Goldman: see for example, Column1 Line 40 – 47 and Column 2 Line 46 – 63: Key request is an equivalent to release code request)).

As per claim 15 and 19, Collins teaches the claimed invention as described above (see claim 12). Collins further teaches the first transmitting means forwards release codes to security aware apparatus by superimposing signalling on a mains electrical circuit to which both the home control unit and the security aware apparatus are connected (Collins: see for example, Figure 5 & 7 Page 19 Line 17 – Page 20 Line 10: The signalling of “release code” must be applied to a mains electrical circuit (in the physical layer L1) to which both the home control unit and the security aware apparatus are connected so that a electronic data message carrying the “release code” can be transported over the network on the network layer and above).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 7, 13 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins (Patent Number: WO 9804967), hereinafter referred to as Collins, in view of Scoggins (Patent Number: US 6373847 B1), hereinafter referred to as Scoggins.

As per claim 7, 13 and 22, Collins teaches the claimed invention as described above (see claim 6 and 12 respectively). Collins does not disclose expressly the centre having a point of presence on a connectionless network, the monitoring means monitoring for messages at the point of presence.

Scoggins teaches the centre having a point of presence on a connectionless network, the monitoring means monitoring for messages at the point of presence (Scoggins: see for example, Column 1 Line 20 – 37 and Column 2 Line 63 – 64).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Scoggins within the system of Collins because (a) Collins teaches a technique for an electronic security system on the basis of message exchange between the apparatus and security control unit, and (b) Scoggins teaches using an efficient connection of connectionless packet switched



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network to a service provider point of presence (POP) (Scoggins: see for example, Column 1 Line 27 – 37)

10. Claims 16, 17 and 20 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins (Patent Number: WO 9804967), hereinafter referred to as Collins, in view of Lasaroff (Patent Number: WO 9612264), hereinafter referred to as Lasaroff.

As per claim 16 and 20, Collins teaches the claimed invention as described above (see claim 12). Collins does not disclose expressly the first transmitting means transmits release codes to security aware apparatus using low power radio transmission.

Lasaroff teaches the first transmitting means transmits release codes to security aware apparatus using low power radio transmission (Lasaroff: see for example, Page 1 Line 15 – Page 2 Line 10).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Lasaroff within the system of Collins because (a) Collins teaches a technique for an electronic security system on the basis of message exchange between the apparatus and security control unit, and (b) Lasaroff teaches using radio communications for security alarm messaging with effective position determination techniques to identify the object location (Lasaroff: see for example, Page 1 Line 1 – 5 and Page 1 Line 29 – Page 2 Line 1).

As per claim 17 and 21, Collins teaches the claimed invention as described above (see claim 16 and 20 respectively). Collins does not disclose expressly the radio signalling complies with digital electronic cordless telephone (DECT) protocols and standards.

Lasaroff teaches the radio signalling complies with digital electronic cordless telephone (DECT) protocols and standards (Lasaroff: see for example, Page 3 Line 21 – 29). See same rationale of combination as addressed above in rejecting claim 16.

As per claim 23 and 24, Collins teaches the claimed invention as described above (see claim 12 and 1 respectively). Collins does not disclose expressly the means to calculate a locational code from a global positioning satellite system, the locational code being included in data messages sent to the remote control centre.

Lasaroff teaches means to calculate a locational code from a global positioning satellite system, the locational code being included in data messages sent to the remote control centre (Lasaroff: see for example, Page 1 Line 29 – Page 2 Line 1). See same rationale of combination as addressed above in rejecting claim 16.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 703-305-0710. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai  
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Art Unit 2131

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